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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
 Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
 OFFICE OF THE SECRETARY

In the Matter of	)	
	)	CC Docket No. 95-116
Telephone Number Portability	)	NSD File No. L-98-23
	)	NSD File No. L-98-28

PARTIAL OPPOSITION TO PETITIONS FOR WAIVER

MCI Telecommunications Corporation ("MCI"), by its attorneys, respectfully submits this opposition to the petitions filed by Sprint Local Telephone Companies ("Sprint") and AT&T Corporation ("AT&T") requesting that the Commission waive its March 3, 1998 deadline for implementation of long-term local number portability ("LNP") in MSAs scheduled for "Phase I" of LNP deployment in the Western, Southeast and West Coast regions.

INTRODUCTION AND SUMMARY

MCI does not, in concept, oppose the petitions of Sprint and AT&T for waiver of the Commission's March 31, 1998 deadline for implementation of LNP.<sup>1</sup> MCI recognizes that the failure of the Number Portability Administration Center ("NPAC") vendor to provide a stable LNP platform caused LNP implementation delays. However, MCI does object to any delays in LNP implementation that extend beyond the time required by the new vendor to establish a stable platform, and for carriers to conduct inter-company testing. Both Sprint and AT&T seek additional time beyond what is necessary, and their requests to that extent should be denied. The Commission should grant their waivers only to the extent needed for vendor deployment and inter-company testing.

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<sup>1</sup> Sprint Local Telephone Companies, *Petition for Waiver*, CC Docket 95-116, NSD File No L-98-23, March 2, 1998 ("Sprint Petition"); AT&T Corporation, *Petition for Waiver*, CC Docket 95-116, NSD File No L-98-28, March 2, 1998 ("AT&T Petition").

## DISCUSSION

Sprint petitions the Commission for a waiver, pursuant to Section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, of the requirement to provide LNP in the Minneapolis MSA by March 31, 1998. Sprint Petition at 1. Sprint argues that, due to the NPAC vendor failure and replacement, the NPAC will not be ready until May 11. *Id.* at 2. Sprint indicates that it will need four weeks for testing, and that it will be able to "begin implementation by June 8th." *Id.* Based on its intention to "phase-in" LNP, rather than "flash-cut" it, however, Sprint requests that its waiver extend to July 13. *Id.*

AT&T's petition covers a larger geographic area and seeks additional time. AT&T asks for a waiver of its LNP obligations for all MSAs scheduled for Phase I of LNP deployment in the Western, Southeast and West Coast regions. AT&T Petition at 1. Like Sprint, AT&T states that it is unable to begin LNP implementation until the NPAC is ready for these regions. *Id.* at 3. Sprint also, like AT&T, asserts that the vendor, Lockheed Martin, will not be ready with a stable platform until May 11, 1998. *Id.* at 5. AT&T requests 30 days for inter-company testing, to conclude on June 11, and an additional two weeks "for carriers to make any necessary remaining preparations." *Id.* at 6. AT&T proposes to have completed Phase I implementation by June 26, 1998. *Id.*

MCI agrees with Petitioners that LNP implementation must be delayed until the NPAC has been prepared and inter-company testing has taken place. MCI joined in the January 21, 1998 letter from the North American Numbering Council to the Common Carrier Bureau, describing this problem. *See* AT&T Petition at 3, n. 5.

MCI disagrees with the petitioners, however, in two respects. First, while MCI believes that carriers must be certified before network testing can take place, the proposed completion date of May 11 is a very conservative estimate of the date by which this process should be completed. The May 11 is not an "agreed upon" date, and should not be considered the earliest date upon which certification can be completed. Rather, May 11 is the outside date, and with a good faith effort, the certification period can be significantly shortened so that LNP can be

deployed as soon as possible. The Commission should require both Sprint and AT&T to work intensely to complete the preparation process as quickly as possible, to include extended work hours. Only in this way will the Commission be able to ensure a minimum impact on the public interest from the requested delay in LNP implementation.

MCI also disagrees with petitioners' request for additional time *after* completion of inter-company testing. Sprint Petition at 2; AT&T Petition at 6. Under the Commission's LNP Rules, the vendor-related delays do not waive the carriers' obligation to complete all necessary modifications and upgrades to their networks in order to implement LNP as soon as is technically feasible. 47 C.F.R. § 52.3(e). Neither AT&T nor Sprint have submitted a technical justification for their proposed post-testing delays (one week for Sprint and two weeks for AT&T), and in fact, both claim to have completed or to be in the process of completing, all necessary improvements to their networks on time. Sprint Petition at 2; AT&T Petition at 3.

To the extent petitioners' networks are prepared to deploy LNP prior to inter-company testing, as claimed, there is no reason why implementation cannot begin immediately upon completion of testing. The granting of arbitrary requests for unnecessary additional time by the Commission would run counter to the public interest, which is best served by the rapid and efficient deployment of LNP.<sup>2</sup> MCI thus urges the Commission to allow only the least possible delay in implementation of LNP requirements. In the present case, that means requiring Sprint and AT&T to implement LNP by June 8, 1998, no more than four weeks after completion of the NPAC testing, and immediately after conclusion of inter-company testing.

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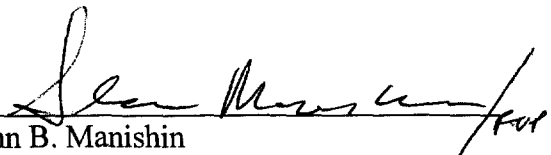
<sup>2</sup> See MCI Telecommunications Corporation, *Comments in Opposition to Petition for Extension of Time of Southwestern Bell Telephone Company and Pacific Bell*, CC Docket No. 95-116, March 9, 1998.

## CONCLUSION

For these reasons, the Commission should grant the Petitions for Waiver of the LNP implementation deadline filed by Sprint and AT&T, but only to the extent absolutely necessary to prepare the NPAC for the Western, Southeast and West Coast regions, and to the extent that more time is needed to complete inter-company testing, or until June 8, 1998, whichever is sooner.

Respectfully submitted,

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Dated: March 12, 1998.

## CERTIFICATE OF SERVICE

I, Amy E. Wallace, do hereby certify that on this 12th day of March, 1998, that I have served a copy of the foregoing document via \*messenger and U.S. Mail, postage prepaid, to the following:

  
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